

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

FEDERAL INSURANCE  
COMPANY, PACIFIC EMPLOYERS  
INSURANCE COMPANY, ACE  
AMERICAN INSURANCE  
COMPANY, ACE PROPERTY AND  
CASUALTY INSURANCE  
COMPANY, INDEMNITY  
INSURANCE COMPANY OF  
NORTH AMERICA, and  
WESTCHESTER FIRE INSURANCE  
COMPANY,

Plaintiffs,

v.

CIVIL ACTION NO. 1:23-cv-01367-RDP

SHAW INDUSTRIES, INC.,

Defendant and  
Counterclaimant

and

COMMERCE & INDUSTRY  
INSURANCE COMPANY;  
FIREMAN'S FUND INSURANCE  
COMPANY; FIRST STATE  
INSURANCE COMPANY;  
EMPLOYERS MUTUAL  
LIABILITY INSURANCE  
COMPANY; GREAT AMERICAN  
INSURANCE COMPANY; U.S. FIRE  
INSURANCE COMPANY;  
TRAVELERS CASUALTY AND  
SURETY COMPANY; WESTPORT  
INSURANCE CORPORATION f/k/a  
PURITAN INSURANCE

COMPANY; JOHN DOE INSURERS  
1-100;

Nominal Defendants.

**SHAW INDUSTRIES, INC.'S UNOPPOSED MOTION  
FOR EXTENSION OF TIME**

COMES NOW, SHAW INDUSTRIES INC. (“Shaw”), pursuant to Fed. R. Civ. P. 6(b)(1)(A), and moves for a 14-day extension of time to respond to the Complaint for Declaratory Judgment filed by Federal Insurance Company, Pacific Employers Insurance Company, ACE American Insurance Company, ACE Property and Casualty Insurance Company, Indemnity Insurance Company of North America, and Westchester Fire Insurance Company (collectively, “Plaintiffs”). In support of this Motion, Shaw states as follows:

1. On October 11, 2023, Plaintiffs filed this action for declaratory relief pursuant to 28 U.S.C. § 2201. (ECF No. 1).
2. On October 23, 2023, Plaintiffs’ Complaint for Declaratory Judgment was served on Shaw.
3. Shaw’s responsive pleading deadline is currently November 13, 2023.
4. Because of the number of insurance carriers involved, including the Nominal Defendants, and the necessity of having all Nominal Defendants served so

that this matter can move forward with judicial efficiency and economy, Shaw requests a 14-day extension of time to respond to Plaintiffs' Complaint for Declaratory Judgment.

5. This motion is authorized by Fed. R. Civ. P. 6(b)(1)(A). This request is made in good faith and not for the purpose of delay.

6. Additionally, no party will be prejudiced by this extension.

7. Counsel for Shaw has conferred with counsel for Plaintiffs, and Plaintiffs do not oppose the requested extension.

8. Accordingly, Shaw respectfully requests a 14-day extension of time to respond to the Complaint for Declaratory Judgment, with the deadline for its response being November 27, 2023.

Respectfully submitted this 9<sup>th</sup> day of November, 2023.

/s/ Brannon J. Buck

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*Counsel for Shaw Industries, Inc.*

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing has been served on all parties of record via the CM/ECF electronic filing system, electronic mail, and/or U.S. Mail on this the 9th day of November, 2023.

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/s/ Brannon J. Buck  
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